

FILED

September 11, 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**United States Court of Appeals
for the Fifth Circuit**

BY: klw
DEPUTY

No. 23-50632

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

GREG ABBOTT, *in his capacity as Governor of the State of Texas;* STATE OF TEXAS,

Defendants—Appellants.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:23-CV-853 DAE

UNPUBLISHED ORDER

Before STEWART, GRAVES, and OLDHAM, *Circuit Judges.*

PER CURIAM:

IT IS ORDERED that Appellants' opposed emergency motion to stay the district court's preliminary injunction pending appeal is CARRIED WITH THE CASE. The case is EXPEDITED to the next available oral argument calendar. The stay entered by this Court on September 7, 2023, will remain in effect and preserve the *status quo* pending further order of the oral argument panel.

United States Court of Appeals
FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

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NEW ORLEANS, LA 70130

September 11, 2023

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 23-50632 USA v. Abbott
USDC No. 1:23-CV-853

Enclosed is an order entered in this case.

Appellants must expedite ordering any transcripts required for this appeal. Once the transcripts are filed, or we are notified that transcripts are unnecessary, the district court clerk is requested to expedite transmitting the electronic record on appeal to this court.

An expedited briefing schedule will issue under separate cover at a later date. Paper copies of all briefs will be due for filing immediately after electronic filing.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Allison G. Lopez, Deputy Clerk
504-310-7702

Mr. Andrew Marshall Bernie
Mr. Ari Cuenin
Mr. Philip Devlin
Mr. Michael Thomas Gray
Mr. Andrew D. Knudsen
Mr. Brian H. Lynk
Mr. Landon Wade